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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)
9 Plaintiff,)
10 v.) 2:13-CR-276-JAD-(VCF)
11 JONATHAN KEITH SIMS,)
12 Defendant.)

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that on December 11, 2013, defendant JONATHAN KEITH SIMS pled
15 guilty to Count One of a Three-Count Criminal Indictment charging him with Receipt of Child
16 Pornography in violation of Title 18, United States Code, Section 2252A(a)(2). Criminal Indictment,
17 ECF No. 10; Change of Plea Minutes, ECF No. __; Plea Agreement, ECF No. __.

18 This Court finds defendant JONATHAN KEITH SIMS agreed to the forfeiture of the property
19 set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Indictment. Criminal
20 Indictment, ECF No. 10; Change of Plea Minutes, ECF No. __; Plea Agreement, ECF No. __.

21 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America
22 has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture
23 Allegations of the Criminal Indictment and the offense to which defendant JONATHAN KEITH SIMS
24 pled guilty.

25 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
26 2253(a)(1) and (a)(3):

1. a Samsung Galaxy S4 cell phone, serial number RV1D45TK3CR;
2. Four (4) miscellaneous hard drives (1 - Maxtor, 1 - Western Digital,
1 - Maxtor Storage, 1 - External);
3. iPhone, identification number BCGE2380A;
4. Four (4) miscellaneous SD cards;
5. Sony Laptop with charger, serial number 27528730 3002500;
6. Four (4) magazines;
7. Two (2) printed photographs;
8. HP Laptop, serial number 2CE925J6D4;
9. Dell Laptop with charger, serial number 336JM81;
10. 16 GB Sandisk thumb drive;
11. 8 GB iPod, serial number C3TGY3GXDNQW;
12. Seventy-seven (77) miscellaneous CD's/DVD's; and
13. any book, magazine, periodical, film, videotape, or other matter which contains any
such visual depiction, which was produced, transported, mailed, shipped, or
received in violation of Title 18, United States Code, Sections 2251 and 2252A and
any property, real or personal, used or intended to be used to commit or to promote
the commission of such offense

(all of which constitutes "property").

This Court finds the United States of America is now entitled to, and should, reduce the
aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
JONATHAN KEITH SIMS in the aforementioned property is forfeited and is vested in the United

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1 States of America and shall be safely held by the United States of America until further order of the
2 Court.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
4 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
5 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
6 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
7 name and contact information for the government attorney to be served with the petition, pursuant to
8 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
10 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
11 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the
12 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
13 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's
14 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
15 petition and the relief sought.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
17 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
19 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
20 following address at the time of filing:

21 Michael A. Humphreys
22 Assistant United States Attorney
23 Daniel D. Hollingsworth
24 Assistant United States Attorney
25 Lloyd D. George United States Courthouse
26 333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
3 following publication of notice of seizure and intent to administratively forfeit the above-described
4 property.

5 DATED this 11th day of December, 2013.

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9 UNITED STATES DISTRICT JUDGE
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